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Approved For Release 2004/05/05 : CIA-RDP80M00165A000800180014-3

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Executive Registry

76-4052/1

24 November 1976

MEMORANDUM FOR: Deputy Director of Central Intelligence
INFO : Director of Equal Employment Opportunity
FROM : [REDACTED]
Chairman, DCI EEO Advisory Panel
SUBJECT : Use of Professional Aptitude Test Battery (PATB)

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1. In a continuing effort to improve the equal employment opportunity machinery of CIA, the administration of the PATB has been reviewed. It has come to the Panel's attention that inordinate emphasis has been placed on the predictive qualities of the PATB, and little, if any, emphasis has been placed on using PATB as a placement tool.

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2. The Panel met with [REDACTED] of the [REDACTED] who explained how the PATB is administered and utilized. Various PATB analyses were reviewed for content which evidenced that applicants seeking Agency employment are being rejected solely on the basis of PATB analyses. A summary of a court decision which bears on this very situation is attached.

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3. Based on the results of its research data and interviews held with [REDACTED] the Panel makes the following recommendations:

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a. The Deputy Director of Central Intelligence should establish a policy whereby managers, in conjunction with [REDACTED] will develop guidelines at the component level for the use of [REDACTED] testing in hiring, placement, and career development of its employees. These guidelines would discuss the ability measures, temperament scales, and work attitude scales of the PATB and describe the responsibility of each unit supervisor to review and interpret PATB analyses in accordance with the extent to which these analyses relate to performance in his/her particular unit.

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b. PATB analyses should include only an evaluation of the applicants' strengths and weaknesses and not include any statement as to the applicants' suitability or non-suitability for Agency-wide professional employment. This decision should be the sole responsibility of the hiring official. Thus, the hiring official would be responsible for fully understanding the subscales of the PATB analyses.

c. The PATB analyses should also be used as a placement tool. At no time should an applicant be rejected solely on the basis of the PATB analysis.

d. PATB analyses should be released by [] only upon receipt of a written request from the appropriate supervisor. Requests by telephone or media other than memoranda should not be honored.

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e. Security control regulations which apply to the EYES ONLY classification of PATB analyses should be enforced by holding the requester/recipient responsible for any violation. Handling instructions should be emphasized by the use of a cover sheet with bold, red print.

4. Attached is a memorandum for your signature which, if signed, would convey the above recommendations to appropriate Agency officials.

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Attachments:

- 1 - Summary of court decision
- 2 - Memo for DDCI signature

cc: D/EEO w/Att. 1

Distribution:

- Orig - DDCI w/Atts.
- X - ER w/Atts.
- 1 - D/EEO w/Att. 1
- 1 - Chm/DCI EEO Adv. Panel

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Willie S. Griggs v. Duke Power Company, Supreme Court of the
United States, March 8, 1971

This is the landmark decision bearing upon personnel testing and selection. It states that "...Congress has placed on the employer (in the Civil Rights Act of 1964) the burden of showing that any given requirement must have a manifest relationship to the employment in question."

The decision further states, "Nothing in the Act (Civil Rights Act of 1964) precludes the use of testing or measuring procedures; obviously they are useful. What Congress has forbidden is giving these devices and mechanisms controlling force unless they are demonstrably a reasonable measure of job performance. Congress has not commanded that the less qualified be preferred over the better qualified simply because of minority origins. Far from disparaging job qualifications as such, Congress has made such qualifications the controlling factor, so that race, religion, nationality, and sex become irrelevant. What Congress has commanded is that any tests used must measure the person for the job and not the person in the abstract." (Emphasis added.) This means that job analysis even for promotion is vital.